



## MEMORANDUM

Agenda Item No. 7(P)(1)(A)

**TO:** Honorable Chairperson Barbara Carey-Shuler, Ed. D. and Members, Board of County Commissioners

**DATE:** December 16, 2003

**FROM:** George M. Burgess  
County Manager

**SUBJECT:** Resolution Accepting  
Conveyances of Various  
Property Interests for Road  
Purposes to Miami-Dade  
County, Florida

This item has been amended, pursuant to the Governmental Operations and Environmental Committee meeting of November 14, 2003, to delete Item No. 6 from the list of conveyances.

The following instruments are being forwarded in one (1) Resolution for Commission acceptance.

	<u>GRANTOR</u>	<u>INSTRUMENT</u>	<u>LOCATION</u>	<u>REMARKS</u>
1.	ERNESTO DE LA FE and ANA MARIA DE LA FE	RWD*	A portion of SW 52 Avenue, beginning approximately 396 feet south of SW 80 Street south for approximately 264 feet.	Obtained in order to satisfy a zoning requirement that all building sites abut a dedicated right-of-way. SW 52 Avenue is paved.
2.	Carlos Pastor and Michelle Pastor	RWD*	A portion of Ingraham Highway (Old Cutler Rd.), at approximately theoretical SW 138 Street.	Obtained in order to satisfy a zoning requirement that all building sites abut a dedicated right-of-way. Ingraham Highway (Old Cutler Rd) is paved.
3.	CARIEQUIPMENT, INC.	RWD* IA*	A portion of NW 58 St. from NW 122 Avenue east for approximately 449 feet.	Obtained in order to satisfy a zoning requirement that all building sites abut a dedicated right-of-way. NW 58 Street is not paved.

RWD\* Right-of-Way Deed  
IA\* Improvement Agreement

	<u>GRANTOR</u>	<u>INSTRUMENT</u>	<u>LOCATION</u>	<u>REMARKS</u>
4.	Murray P. Yanks and Phyllis Yanks	RWD*	A portion of SW 95 Avenue from SW 120 St South for approximately 293 feet and a portion of SW 120 Street from SW 95 Avenue east for approximately 334 feet.	Obtained in order to satisfy a zoning requirement that all building sites abut a dedicated right-of-way. SW 95 Avenue and SW 120 Street are paved.
5.	Neil Rollnick	RWD*	A portion of NW 127 Avenue beginning approximately 1976.18 feet south of NW 25 Street south for approximately 658.74 feet.	Obtained by private developer to provide right-of-way required for the NW 127 Avenue road construction.

  
\_\_\_\_\_  
Assistant County Manager

RWD\* Right-of-Way Deed  
IA\* Improvement Agreement



# MEMORANDUM

(Revised)

TO: Hon. Chairperson Barbara Carey-Shuler, Ed.D. DATE: December 16, 2003  
and Members, Board of County Commissioners

A handwritten signature in black ink, appearing to read "R. A. Ginsburg", is written over the printed name.

FROM: Robert A. Ginsburg  
County Attorney

SUBJECT: Agenda Item No. 7(P)(1)(A)

Please note any items checked.

- ☐ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Bid waiver requiring County Manager's written recommendation
- ☐ Ordinance creating a new board requires detailed County Manager's report for public hearing
- ☐ Housekeeping item (no policy decision required)
- ☐ No committee review

Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 7(P)(1)(A)  
12-16-03

RESOLUTION NO. \_\_\_\_\_

RESOLUTION ACCEPTING CONVEYANCES OF VARIOUS  
PROPERTY INTERESTS FOR ROAD PURPOSES TO MIAMI-  
DADE COUNTY, FLORIDA

**WHEREAS**, the following property owners/grantors have tendered instruments conveying to Miami-Dade County the property interests in parcels of land located within Miami-Dade County, Florida, for public purposes identified in the Manager's memorandum and the instruments of conveyance all of which are attached hereto and made a part hereof:

**Property Owner's/Grantor's**

1. **ERNESTO DE LA FE and ANA MARIA DE LA FE**
2. **Carlos Pastor and Michelle Pastor**
3. **CARIEQUIPMENT, INC.**
4. **Murray P. Yanks and Phyllis Yanks**
5. **Neil Rollnick**

**WHEREAS**, upon consideration of the recommendation of the Public Works Department, the County Commission finds and determines that the acceptance of such conveyances would be in the public's best interest,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that the conveyances by the above described property owners/grantors be and the same are hereby approved and accepted, and the Director of the Public Works Department is authorized and directed to cause said instruments to be filed for record among the Public Records of Miami-Dade County, Florida; provided, however,

that it is specifically understood that neither this Board nor Miami-Dade County is obligated to construct any improvements within the above described properties tendered for road right-of-way.

The foregoing resolution was offered by Commissioner \_\_\_\_\_, who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_ and upon being put to a vote, the vote was as follows:

Dr. Barbara Carey-Shuler, Chairperson	
Katy Sorenson, Vice-Chairperson	
Bruno A. Barreiro	Jose "Pepe" Diaz
Betty T. Ferguson	Sally A. Heyman
Joe A. Martinez	Jimmy L. Morales
Dennis C. Moss	Dorrian D. Rolle
Natacha Seijas	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 16<sup>th</sup> day of December, 2003. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA  
BY ITS BOARD OF  
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: \_\_\_\_\_  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.



Thomas Goldstein

5

**Return to:**

Right of Way Division  
Miami-Dade County Public Works Dept.  
111 N.W. 1st Street  
Miami, FL 33128-1970

**Instrument prepared by:**

Enrique M. Lopez

SW S2 AVENUE

Folio No. 30-4131-003-0110

User Department: Public Works

SEC. 31 TWP. 54 Rg. 41

**RIGHT-OF-WAY DEED TO MIAMI-DADE COUNTY  
CONVEYS THE TITLE FOR HIGHWAY PURPOSES**

STATE OF FLORIDA            )  
  ) SS  
COUNTY OF MIAMI-DADE )

THIS INDENTURE, Made this 28<sup>th</sup> day of July, A.D. 2003, by and between ERNESTO DE LA FE and ANA MARIA DE LA FE, whose address is 8150 School House Road, Miami, Florida, parties of the first part, and MIAMI-DADE COUNTY, a political subdivision of the State of Florida, and its successors in interest, whose Post Office Address is 111 N.W. 1st Street, Miami, Florida 33128-1970, party of the second part,

**WITNESSETH:**

That the said parties of the first part, for and in consideration of the sum of One Dollar (\$1.00) to them in hand paid by the party of the second part, the receipt whereof is hereby acknowledged, and for other and further good and valuable considerations, do hereby grant, bargain and sell to the party of the second part, and its successors in interest, for the purpose of a public highway and purposes incidental thereto, all the right, title, interest, claim or demand of the parties of the first part, in and to the following described land, situate, lying and being in Miami-Dade County, State of Florida, to-wit:

The West 10.00 feet of the east 15.00 feet of the south 264.00 feet of the east 330.00 feet of Lot 2, Block 1, of W.T. HARDEES SUBDIVISION, according to the plat thereof as recorded in Plat Book B, Page 50, of the Public Records of Miami-Dade County, Florida. *PR*

Approved as description

Date 10/14/03

B.R.

It is the intention of the parties of the first part, by this instrument, to convey to the said party of the second part, and its successors in interest, the land above described for use as a public highway and for all purposes incidental thereto.

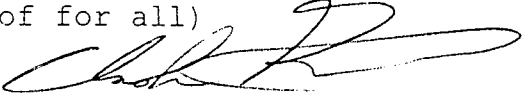
It is expressly provided that if and when the said highway shall be lawfully and permanently discontinued, the title to the said above described land shall immediately revert to the parties of the first part, their heirs and assigns, and they shall have the right to immediately re-possess the same.

And the said parties of the first part do hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever, claiming by, through or under it.

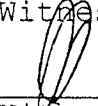
**IN WITNESS WHEREOF**, the said parties of the first part, have hereunto set their hand and seals, the day and year first above written.

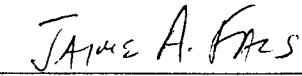
Signed, Sealed and Delivered in  
our presence:

(2 witnesses for each signature  
of for all)

  
Witness

  
Witness Printed Name

  
Witness

  
Witness Printed Name

  
(SEAL)

ERNESTO DE LA FE  
8150 School House Road  
Miami, Fl

  
(SEAL)

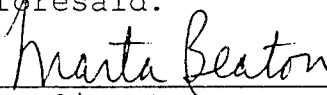

ANA MARIA DE LA FE  
8150 School House Road  
Miami, Fl

STATE OF FLORIDA       )  
                                  )  
COUNTY OF MIAMI-DADE )

I HEREBY CERTIFY, that on this 28<sup>TH</sup> day of July, 2003, before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared ERNESTO DE LA FE, and MARIA DE LA FE, personally known to me, or proven, by producing the following methods of identification: \_\_\_\_\_

\_\_\_\_\_ to be the person(s) who executed the foregoing instrument freely and voluntarily for the purposes therein expressed.

WITNESS my hand and official seal in the County and State aforesaid, the day and year last aforesaid.

  
\_\_\_\_\_  
Notary Signature  
Notary Public, State of Florida  
My commission expires: \_\_\_\_\_  
 My Commission CC962912  
Expires August 23, 2004

The foregoing was accepted and approved on the 28<sup>th</sup> day of July A.D. 2003, by Resolution No. \_\_\_\_\_ of the Board of County Commissioners of Miami-Dade County, Florida.

\_\_\_\_\_  
Special Assistant to the  
County Manager

ATTEST: HARVEY RUVIN,  
Clerk of said Board

By: \_\_\_\_\_  
Deputy Clerk

Return to:

Right of Way Division  
Miami-Dade County Public Works Dept.  
111 N.W. 1st Street  
Miami, FL 33128-1970

Instrument prepared by:

Alfredo Lorenzo

Folio No. 30-5023-000-0260

User Department: Public Works

OLD CUTLER RD.  
(INGRAHAM HIGHWAY)

Sec. 23 Twp. 55 Rg. 40

RIGHT-OF-WAY DEED TO MIAMI-DADE COUNTY  
CONVEYS THE TITLE FOR HIGHWAY PURPOSES

STATE OF FLORIDA            )  
                                  ) SS  
COUNTY OF MIAMI-DADE )

THIS INDENTURE, Made this 28<sup>th</sup> day of July, A.D. 2003, by and between Carlos Pastor and Michelle Pastor, whose address is 15951 NW 79<sup>th</sup> Court, Miami, Florida 33016, parties of the first part, and MIAMI-DADE COUNTY, a political subdivision of the State of Florida, and its successors in interest, whose Post Office Address is 111 N.W. 1st Street, Miami, Florida 33128-1970, party of the second part,

WITNESSETH:

That the said parties of the first part, for and in consideration of the sum of One Dollar (\$1.00) to them in hand paid by the party of the second part, the receipt whereof is hereby acknowledged, and for other and further good and valuable considerations, do hereby grant, bargain and sell to the party of the second part, and its successors in interest, for the purpose of a public highway and purposes incidental thereto, all the right, title, interest, claim or demand of the parties of the first part, in and to the following described land, situate, lying and being in Miami-Dade County, State of Florida, to-wit:

SEE EXHIBIT "A" ATTACHED

Approved as description

Date 10/14/03

D.N.

EXHIBIT "A"

The northwesterly 15 feet of the southeasterly 50 feet, as measured from the centerline of INGRAHAM HIGHWAY, of the following described property:

The north  $\frac{1}{2}$  of the south  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$ ; and the South  $\frac{1}{2}$  of the SE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$ ; and the south  $\frac{1}{2}$  of the south  $\frac{1}{2}$  of the South  $\frac{1}{2}$  of the north  $\frac{1}{2}$  of the NE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of Section 23, Township 55 South, Range 40 East, lying northwesterly of INGRAHAM HIGHWAY.

P.R.

It is the intention of the parties of the first part, by this instrument, to convey to the said party of the second part, and its successors in interest, the land above described for use as a public highway and for all purposes incidental thereto.

It is expressly provided that if and when the said highway shall be lawfully and permanently discontinued, the title to the said above described land shall immediately revert to the parties of the first part, their heirs and assigns, and they shall have the right to immediately re-possess the same.

And the said parties of the first part do hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever, claiming by, through or under it.

IN WITNESS WHEREOF, the said parties of the first part, have hereunto set their hand(s) and seal(s), the day and year first above written.

Signed, Sealed and Delivered in  
our presence:

(2 witnesses for each signature  
of for all)

[Signature]  
Witness

ANGEL SAAD  
Witness Printed Name

[Signature]  
Witness

Susel Ferrer  
Witness Printed Name

[Signature]  
Witness

ANGEL SAAD  
Witness Printed Name

[Signature]  
Witness

Alfredo Lorenzo  
Witness Printed Name

[Signature] (SEAL)

CARLOS PASTOR  
Printed Name

15951 NW 79 Ct.  
Address (if different)

[Signature] (SEAL)

Michelle Pastor  
Printed Name

15951 NW 79 Ct  
Address (if different)

STATE OF FLORIDA )  
 )  
COUNTY OF MIAMI-DADE )

I HEREBY CERTIFY, that on this 5<sup>th</sup> day of July, 2003,  
before me, an officer duly authorized to administer oaths and take  
acknowledgments, personally appeared \_\_\_\_\_,  
and \_\_\_\_\_, personally known to me,  
or proven, by producing the following methods of identification:

\_\_\_\_\_ to be the person(s) who executed the foregoing instrument freely  
and voluntarily for the purposes therein expressed.

WITNESS my hand and official seal in the County and State  
aforesaid, the day and year last aforesaid.



Carmen Aslan  
Commission # DD 035178  
Expires June 20, 2005  
Bonded Thru  
Atlantic Bonding Co., Inc.

[Signature]  
Notary Signature

CARMEN Aslan  
Printed Notary Name

NOTARY SEAL/STAMP

Notary Public, State of Florida.

My commission expires: June 20, 05.

Commission/Serial No. DD035178

The foregoing was accepted and approved on the \_\_\_\_\_ day of  
\_\_\_\_\_, A.D. 20\_\_\_\_, by Resolution No. \_\_\_\_\_ of  
the Board of County Commissioners of Miami-Dade County, Florida.

\_\_\_\_\_  
Special Assistant to the  
County Manager

ATTEST: HARVEY RUVIN,  
Clerk of said Board

By: \_\_\_\_\_  
Deputy Clerk

**Return to:**

Right of Way Division  
Miami-Dade County Public Works Dept.  
111 N.W. 1st Street  
Miami, FL 33128-1970

**Instrument prepared by:**  
Pablo Rodríguez, P.L.S.

Folio No. 30-3913-000-0044  
User Department: Public Works

NW 58 ST  
HW 122 AVENUE

SEC. 13 TWP. 53 Rg. 39

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**RIGHT-OF-WAY DEED TO MIAMI-DADE COUNTY  
CONVEYS THE TITLE FOR HIGHWAY PURPOSES  
BY CORPORATION**

STATE OF FLORIDA       )  
                                  )  
COUNTY OF MIAMI-DADE)

THIS INDENTURE, Made this 1<sup>st</sup> day of July, A.D. 2003, by and between CARIEQUIPMENT, INC., a corporation under the laws of the State of Florida, and having its office and principal place of business at 5790 NW 122<sup>nd</sup> Avenue, Miami, Florida 33178, party of the first part, and **MIAMI-DADE COUNTY**, a political subdivision of the State of Florida, and its successors in interest, whose Post Office address is 111 N.W. 1st Street, Miami, Florida 33128-1970, party of the second part,

**WITNESSETH:**

That the said party of the first part, for and in consideration of the sum of One Dollar (\$1.00) to it in hand paid by the party of the second part, the receipt whereof is hereby acknowledged, and for other and further good and valuable considerations, does hereby grant, bargain and sell to the party of the second part, and its successors in interest, for the purpose of a public highway and purposes incidental thereto, all right, title, interest, claim or demand of the party of the first part, in and to the following described land, situate, lying and being in Miami-Dade County, State of Florida, to-wit:

SEE ATTACHED EXHIBIT "B"

Approved as description

Date 10/14/03

P.R.

13

It is the intention of the party of the first part, by this instrument, to convey to the said party of the second part, and its successors in interest, the land above described for use as a public highway and for all purposes incidental thereto.

It is expressly provided that if and when said highway shall be lawfully and permanently discontinued, the title to the said above described land shall immediately revert to the party of the first part, its successors and assigns, and it or they shall have the right to immediately re-possess the same.

And the said party of the first part will defend the title to said land against the lawful claims of all persons whomsoever, claiming by, through or under it.

IN WITNESS WHEREOF, the said party of the first part has caused these presents to be executed in its name, and its Corporate Seal to be hereunto affixed, by its proper officers thereunto duly authorized, the day and year first above written.

Signed, Sealed, Attested and  
delivered in our presence:  
(2 witnesses for each signature  
or for all).

*S. Martinez*  
Witness

MARCELA J. Martinez  
Printed Name

*Lucila Velez*  
Witness

LUCILA Velez  
Printed Name

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Witness

SERGIO MARTINEZ  
Printed Name

CARIEQUIPMENT, INC.  
Name of Corporation

*Sergio Martinez* (Seal)  
By: X President

SERGIO MARTINEZ  
Printed Name

285 ST. Thomas Avenue, Key Largo, Fl.  
Address if different 33037

*Sergio Martinez* (Seal)  
Attest: X Secretary

\_\_\_\_\_  
Printed Name

Address if different  
CORP SEAL

STATE OF FLORIDA )  
 )  
COUNTY OF MIAMI-DADE )

I HEREBY CERTIFY, that on this 1st day of July,  
A.D. 2003, before me, an officer duly authorized to administer  
oaths and take acknowledgments personally appeared Sergio  
Martinez and \_\_\_\_\_,  
personally known to me, or proven, by producing the following  
identification: Drivers' License  
to be the \_\_\_\_\_ President and \_\_\_\_\_ Secretary of  
CARIEQUIPMENT, INC., a corporation under the  
laws of the State of FLORIDA, and in whose name the  
foregoing instrument is executed and that said officer(s) severally  
acknowledged before me that HE executed said instrument  
acting under the authority duly vested by said corporation and its  
Corporate Seal is affixed thereto.

WITNESS my hand and official seal in the County and State  
aforesaid, the day and year last aforesaid.

Yvette Ehrismann  
Notary Signature

Yvette Ehrismann  
Printed Notary Name

NOTARY SEAL/STAMP

Notary Public, State of Florida

My commission expires: \_\_\_\_\_

Commission/Serial No. \_\_\_\_\_



The foregoing was accepted and approved on the \_\_\_\_\_ day of  
\_\_\_\_\_, A.D. 20\_\_\_\_, by Resolution No. \_\_\_\_\_  
of the Board of County Commissioners of Miami-Dade County, Florida,  
a political subdivision of the State of Florida.

\_\_\_\_\_  
Special Assistant to the  
County Manager

\_\_\_\_\_  
Printed Name

ATTEST: HARVEY RUVIN,  
Clerk of said Board

By: \_\_\_\_\_  
Deputy Clerk

## EXHIBIT "B"

A portion of the SW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of Section 13, Township 53 South, Range 39 East, Miami-Dade County, Florida, as follows;

Begin at the SW corner of the SW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of said Section 13; thence N01°46'41"W 40.01 feet along the west line of the SW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of said Section 13; thence N89°40'29"E 450.28 feet along a line 40 feet north of and parallel with the south line of said Section 13; thence S00°19'31"E 40.00 feet to a point of intersection with the South line of said Section 13; thence S89°40'29"W 449.27 feet, along the South line of said Section 13 to the Point of Beginning.



**Return to:**

Right of Way Division  
Miami-Dade County Public Works Dept.  
111 N.W. 1st Street  
Miami, FL 33128-1970

**Instrument prepared by:**

Pablo Rodríguez, P.L.S.

Folio No. 30-3913-000-0044

User Department: Public Works

NW 58 ST  
NW 122 AVENUE

SEC- 13 TWP. 33 Rg. 30

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**DEDICATION AND IMPROVEMENT AGREEMENT**

WHEREAS, CARIEQUIPMENT, INC., whose address PO Box 650489,  
Miami, Florida, 33265-0489, hereinafter referred to as the **OWNERS**,  
are the owners of the following described property:

**SEE EXHIBIT "A" ATTACHED**

AND WHEREAS, the said **OWNERS** desire to develop this property  
in a manner that requires them by law to dedicate and improve a  
public right-of-way for NW 58<sup>th</sup> Street in order to obtain a building  
permit.

AND WHEREAS, the Director of the County Department of Public  
Works, hereinafter referred to as the **DIRECTOR**, recommends that a  
building permit not be issued unless the **OWNERS** obligate themselves  
to immediately dedicate and, at a later time, construct half of the  
full width for road for NW 58<sup>th</sup> Street in accordance with County  
standards;

NOW THEREFORE, the **DIRECTOR**, in consideration of the **OWNERS'**  
willingness to dedicate and construct a half width road at a later  
time upon the **DIRECTOR'S** written request as specified below, hereby  
agrees to recommend that the offered right-of-way for NW 58<sup>th</sup> Street  
be accepted by the Board of County Commissioners at this time,  
without an immediate obligation to construct the usual road  
improvements within the said right-of-way; and

The **OWNERS**, in consideration of the **DIRECTOR'S** willingness to temporarily delay the road construction requirement, hereby agree:

- (1) To immediately offer the most southerly 40 feet thereof of the described property for public road right-of-way for acceptance at this time (to satisfy the legal requirements for obtaining a building permit); and
- (2) To improve said most southerly 40 feet thereof BY constructing a strip of pavement 12 feet in width with asphaltic concrete, 1 inch thick, together with the standard compacted limerock base, meeting County specifications and standards within 60 days of a written request to do so from the **DIRECTOR**.

It is understood and agreed by the parties hereto, that should the said **OWNER(S)** refuse(s) to improve or fail to make said improvements within said 60 days or be unable to pay for such improvements, the **DIRECTOR** shall have the right to cause said construction to be completed, within the herein offered right-of-way, adjacent to the **OWNERS'** remaining property and to recover, from **OWNERS**, a pro rata share of the total road improvement costs on a front footage basis by means of annual special assessments which, until paid, shall constitute a lien upon **OWNERS'** property to the same extent as the lien for general County taxes, payment of said assessments, as well as the lien and enforcement of said assessments, shall be the same as for Improvement Districts as stated in Chapter 18 of the Code of Miami-Dade County.

This Agreement shall be binding upon the **DIRECTOR** and the **OWNERS** so long as the said **OWNERS** have fee simple title in the hereinabove described property and shall be binding upon their successors and assigns as a covenant running with the land, but in the event of a sale of such property by the said **OWNERS**, who shall be personally relieved of this obligation.

It is understood and agreed by the parties hereto that the **DIRECTOR** or **COUNTY** is not obligated to construct a roadway or provide public access to **OWNERS'** property referred to herein.

IN WITNESS WHEREOF, the DIRECTOR of the Department of Public Works, has executed this instrument and has caused his execution hereof to be attested and they have hereunto placed their hands and seals this 24 day of, July A.D. 2003.

ATTEST:

Witness

Martha Interian Figueroa  
Witness Printed Name

Director

Aristides Rivera, P.E., P.L.S.

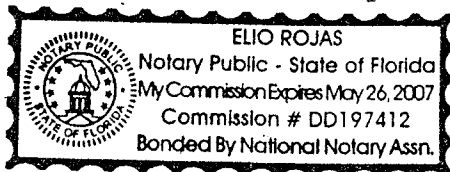
Witness

Witness Printed Name

STATE OF FLORIDA       )  
  )  
COUNTY OF MIAMI-DADE )

I HEREBY CERTIFY, that on this 24 day of July, A.D. 2003, before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared **Aristides Rivera, P.E., P.L.S.**, Director of the Department of Public Works of Miami-Dade County, Florida, personally known to me to be the person who executed the foregoing instrument freely and voluntarily for the purposes therein expressed.

WITNESS my hand and official seal in the County and State aforesaid, the day and year last aforesaid.



Notary Signature

ELIO ROJAS  
Printed Notary Name

NOTARY SEAL/STAMP

Notary Public, State of FLORIDA

My commission expires: MAY 26-2003

Commission/Serial No. DD197412

IN WITNESS WHEREOF, the OWNERS have caused this Agreement to be executed this 18<sup>th</sup> day of July, A.D. 2003.

Signed, Sealed and Delivered  
in our presence:  
(2 witnesses for each signature  
or for all)

[Signature]  
Witness  
Marcella J. Martinez  
Witness Printed Name

[Signature]  
Witness  
Lucila Velez  
Witness Printed Name

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Witness Printed Name

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Witness Printed Name

[Signature] (SEAL)  
Sergio Martinez  
Sergio Martinez  
Printed Name  
285 St. Thomas Avenue, Key Largo, Fl. 33037  
Address (if different)

\_\_\_\_\_  
(SEAL)

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Address (if different)

20

STATE OF FLORIDA       )  
                                      )  
COUNTY OF MIAMI-DADE )

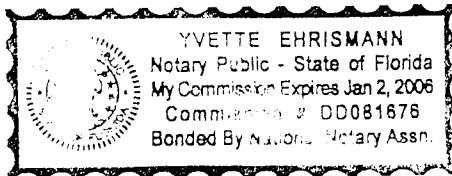
I HEREBY CERTIFY, that on this 1<sup>st</sup> day of July, A.D. 2002, before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared Sergio Martinez and \_\_\_\_\_, personally known to me, or proven, by producing the following identification: Dr. License to be the persons who executed the foregoing instrument freely and voluntarily for the purposes therein expressed.

WITNESS my hand and official seal in the County and State aforesaid, the day and year last aforesaid.

[Signature]  
Notary Signature

Yvette Ehrismann  
Printed Notary Name

NOTARY SEAL/STAMP



Notary Public, State of Florida

My commission expires: Jan. 2, 2006

Commission/Serial No. DD081676

## EXHIBIT "A"

A portion of the SW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of Section 13, Township 53 South, Range 39 East, Miami-Dade County, Florida, as follows;  
Begin at the SW corner of the SW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of said Section 13; thence run N01°46'41"W along the west line of the SW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of said Section 13 for a distance of 242.55 feet to a point; thence run N88°13'19"E, at right angles to the last described course for a distance of 235.00 feet to a point; thence run N45°41'33"E for a distance of 199.61 feet to a point; thence run N01°46'41"W, parallel with the west line of the SW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of said Section 13, for a distance of 464.40 feet to a point; thence run N88°13'19"E at right angles to the last described course for a distance of 304.20 feet to a point; thence run S01°46'41"E parallel with the West line of the SW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of said section 13 for a distance of 347.97 to a point; the run S89°40'29"W parallel with the south line of said section 13 for a distance of 129.42 feet to a point; thence run S31°46'56"W for a distance of 178.50 feet to a point; thence run S00°19'13"E for a distance of 359.95 feet to a point of intersection with the South line of said Section 13; thence run S89°40'29"W along the South line of said Section 13 for a distance of 449.27 feet to the Point of Beginning.  
(AKA Tract 3 of the Manucy & Associates Survey of November 14, 1995)

**Return to:**

Right of Way Division  
 Miami-Dade County Public Works Dept.  
 111 N.W. 1st Street  
 Miami, FL 33128-1970

**Instrument prepared by:**

Pablo Rodríguez, P.L.S.

Folio No. 30-5016-000-0340

User Department: Public Works Department.

SW 95 AVE -

SW 120 ST

Sec. 16 - 55 - 40

**RIGHT-OF-WAY DEED TO MIAMI-DADE COUNTY  
 CONVEYS THE TITLE FOR HIGHWAY PURPOSES**

STATE OF FLORIDA            )  
   ) SS  
 COUNTY OF MIAMI-DADE )

THIS INDENTURE, Made this 6<sup>th</sup> day of March, A.D. 2003, by and between Murray P. Yanks and Phyllis Yanks, his wife, whose address is 9450 SW 120<sup>th</sup> Street, Miami, Florida 33176, parties of the first part, and **MIAMI-DADE COUNTY**, a political subdivision of the State of Florida, and its successors in interest, whose Post Office Address is 111 N.W. 1st Street, Miami, Florida 33128-1970, party of the second part,

**WITNESSETH:**

That the said parties of the first part, for and in consideration of the sum of One Dollar (\$1.00) to them in hand paid by the party of the second part, the receipt whereof is hereby acknowledged, and for other and further good and valuable considerations, do hereby grant, bargain and sell to the party of the second part, and its successors in interest, for the purpose of a public highway and purposes incidental thereto, all the right, title, interest, claim or demand of the parties of the first part, in and to the following described land, situate, lying and being in Miami-Dade County, State of Florida, to-wit:

**SEE EXHIBIT "A" ATTACHED**

Approved as description

Date 6/9/03

P.N.

23

## EXHIBIT "A"

### LEGAL DESCRIPTION:

The south 5 feet of the north 40 feet, and the west 25 feet of the west  $\frac{1}{2}$  of the NE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$ , less the south 391.8 feet thereof, of Section 16, Township 55 South, Range 40 East, Miami-Dade County, Florida;

And

The area bounded by the south line of the north 40 feet and the east line of the west 25 feet of the west  $\frac{1}{2}$  of the NE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of said Section 16, and bounded by a 25 foot radius arc concave to the southeast, said arc being tangent to both of the last described lines.

It is the intention of the (party/parties) of the first part, by this instrument, to convey to the said party of the second part, and its successors in interest, the land above described for use as a public highway and for all purposes incidental thereto.

It is expressly provided that if and when the said highway shall be lawfully and permanently discontinued, the title to the said above described land shall immediately revert to the (party/parties) of the first part, ~~this/their~~ heirs and assigns, and ~~he/she/they~~ shall (have/has) the right to immediately re-possess the same.

And the said (party/parties) of the first part (do/does) hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever, claiming by, through or under (him/her/them).

IN WITNESS WHEREOF, the said (party/parties) of the first part, (has/have) hereunto set ~~this/their~~ hand(s) and seal(s), the day and year first above written.

Signed, Sealed and Delivered in  
our presence:

(2 witnesses for each signature  
of for all)

Melinda M. Fleming  
Witness

Melinda M. Fleming  
Witness Printed Name

Stanley P. Kaplan  
Witness

STANLEY P. KAPLAN  
Witness Printed Name

Melinda M. Fleming  
Witness

Melinda M. Fleming  
Witness Printed Name

Stanley P. Kaplan  
Witness

STANLEY P. KAPLAN  
Witness Printed Name

Murray P. Yanks (SEAL)

Murray P. Yanks  
Printed Name

Address (if different)

Phyllis Yanks (SEAL)

Phyllis Yanks  
Printed Name

Address (if different)

Return to:  
Right of Way Division .  
Miami-Dade County Public Works Dept.  
111 N.W. 1st Street .  
Miami, FL 33128-1970 .

Instrument prepared by: .

Miami-Dade County Public Works Dept.  
111 N.W. 1st Street .  
Miami, FL 33128-1970 .

Folio No. Portion of 30-3936-000-0030  
User Department .

NW 127 AVE  
SEC. 36 TWP. 53 Rg. 39

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**RIGHT-OF-WAY DEED TO MIAMI-DADE COUNTY  
CONVEYS THE TITLE FOR HIGHWAY PURPOSES**

STATE OF FLORIDA           )  
  )  
COUNTY OF MIAMI-DADE   )

**THIS INDENTURE**, Made this 27th day of August, 2003, by and between Neil Rollnick, as Trustee under the terms and provisions of the Trust Agreement dated August 3, 1999 for Biscuit Land Trust Agreement whose Post Office address is 2601 S. Bayshore Drive, Suite 1600, Florida 33131, party of the first part, and **MIAMI-DADE COUNTY**, a Political Subdivision of the State of Florida, and its successors in interest, whose Post Office address is 111 N.W. 1st Street, Miami, Florida 33128-1970, party of the second part,

**WITNESSETH:**

That the said party of the first part, for and in consideration of the sum of One Dollar (\$1.00) to it in hand paid by the party of the second part, the receipt whereof is hereby acknowledged, and for other and further good and valuable considerations, does hereby grant, bargain and sell to the party of the second part, and its successors in interest, for the purpose of a public highway and purposes incidental thereto, all right, title, interest, claim or demand of the party of the first part, in and to the following described land, situate, lying and being in Miami-Dade County, State of Florida, to-wit: See Exhibit "A" attached hereto and made a part hereof.

It is the intention of the party of the first part, by this instrument, to convey to the said party of the second part, and its successors in interest, the land above described for use as a public highway and for all purposes incidental thereto.

It is expressly provided that if and when said highway shall be lawfully and permanently discontinued, the title to the said above described land shall immediately revert to the party of the first part, its successors and assigns, and it or they shall have the right to immediately re-possess the same.

And the said party of the first part will defend the title to said land against the lawful claims of all persons whomsoever, claiming by, through or under it.

IN WITNESS WHEREOF, the said party of the first part has caused these presents to be executed in his name, and in his capacity as Trustee and not individually, the day and year first above written.

Signed and Delivered in our presence:

Kathryn E  
Witness

Kathryne Camp  
Witness Printed Name

Neil Rollnick, as Trustee  
Neil Rollnick, as Trustee under the terms  
and provisions of the Trust Agreement dated  
August 3, 1999 for Biscuit Land Trust Agreement

Marjorie L. Owen-Baillie  
Witness

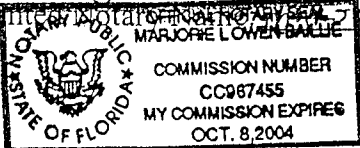
MARJORIE L. OWEN-BAILLIE  
Witness Printed Name


STATE OF FLORIDA                     )  
   )  
COUNTY OF MIAMI-DADE         )

I HEREBY CERTIFY, that on this 27th day of August, 2003, before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared Neil Rollnick, as Trustee under the terms and provisions of the Trust Agreement dated August 3, 1999 for Biscuit Land Trust Agreement and personally known to me, and in whose name the foregoing instrument is executed.

WITNESS my hand and official seal in the County and State aforesaid, the day and year last aforesaid.

NOTARY SEAL/STAMP  
My commission expires:  
Commission/Serial No.

Marjorie L. Owen-Baillie  
Notary Public, State of Florida  
Printed Name of Notary Public: MARJORIE L. OWEN-BAILLIE  


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## EXHIBIT A


## LEGAL DESCRIPTION

Begin at the West ¼ corner of Section 36, Township 53 South, Range 39 East in Miami-Dade County, Florida; thence N01°50'23"W along the West line of said Section 36, as basis of bearing, for 658.74 feet; thence N89°37'09"E for 43.01 feet; thence S01°50'23"E parallel to the West line of said Section 36 for 658.75 feet; thence S89°38'04"W for 43.01 feet to the POINT OF BEGINNING.

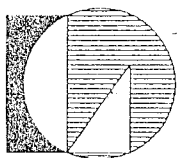
P	Property Line	PG.	Page
C	Center Line	P.O.C.	Point of Commencement
P.O.T.	Point of Terminus	P.O.B.	Point of Beginning
P.B.	Plat Book		

I HEREBY CERTIFY: that the LEGAL AND SKETCH of the property described hereon was made under my supervision and that the LEGAL AND SKETCH meets the Minimum Technical Standards set forth by the Florida Board of Professional Land Surveyors and Mappers in Chapter 61G17-6, Florida Administrative Code pursuant to Section 472.027, Florida Statutes. And, that the sketch hereon is true and correct to the best of my knowledge and belief. Subject to notes and notations shown hereon. This sketch does not represent a land survey.

Ludovici & Orange Consulting Engineers, Inc. L.B. # 1012

By:   
 Arturo A. Sosa, P.S.M.  
 Reg. Surveyor and Mapper # 2629  
 State of Florida

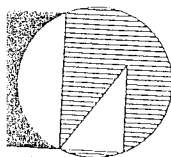
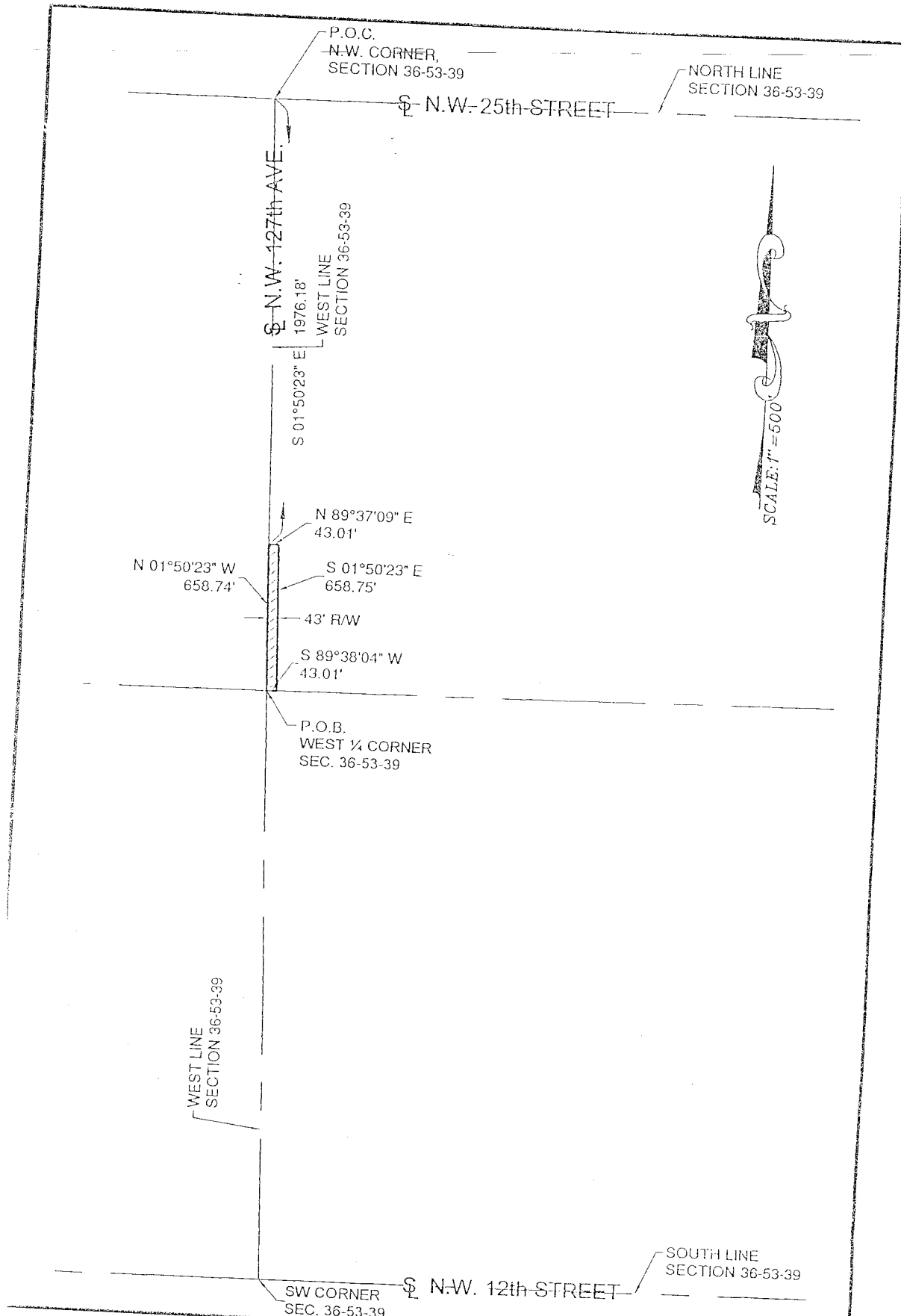
Not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.



**LUDOVICI & ORANGE**  
 CONSULTING ENGINEERS INC.  
 329 PALERMO AVENUE, CORAL GABLES  
 FLORIDA 33134 LB 1012  
 TEL (305) 448-1600 FAX (305) 446-3876

Date: 8-22-03	Drawn: E.T.
Proj.No. 2002-37	Checked:
Proj.Name: <b>BEACON LAKES</b> <b>43' R/W @ N.W. 127 AVE</b> <b>SHEET 1 OF 2</b>	

2F



**LUDOVICI & ORANGE**  
CONSULTING ENGINEERS INC.

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FLORIDA 33134 LB 1012  
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Date: 8-22-03	Drawn: E.T.
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43' R/W @ N.W. 127 AVE	
SHEET 2 OF 2	

29